UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,045	06/14/2001	Kyoko Kimpara	Q64919	5944

7590 03/11/2004

SUGHRUE, MION, ZINN, MACPEAK & SEAS
2100 Pennsylvania Avenue, N.W.
Washington, DC 20037-3202

EXAMINER	
BORISSOV, IGOR N	

ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/880,045	KIMPARA ET AL.	
	Examiner	Art Unit	
	Igor Borissov	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 June 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito (US 6,330,529) in view of Tso et al. (US 6,421,733).

Ito teaches a mark-up language grammar based translation system and method, comprising:

Claim 1. An information providing apparatuses (column 3, lines 57-60); a contents server to store contents provided by a contents provider (column 3, lines 57-60); a user terminal to be operated by a user (column 3, lines 60-63); and a translation computer system (column 4, lines 8-25).

Ito does not teach that said contents provider is charged a conversion fee for contents conversion performed by said conversion server.

Tso et al. teach a system and method for dynamically transcoding data transmitted between computers, wherein a Web-page content is translated to a user's native language (column 8, lines 42-43); and wherein a Web-site provider (owner) pays a proxy provider to improve the performance of all users while visiting the provider's (owner's) site (column 16, lines 36-38).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ito to include that said contents provider is charged a fee for contents conversion performed by said translation computer system, because it would increase the amount of potential (foreign-speaking) customers for said content provider, and generate funds for an owner of said translation computer system, which (funds) are necessary to operate the business.

Claim 2. Tso et al. teach said system and method, wherein, in said conversion, said contents, when being described in a foreign language, are translated into contents described in a native language of a user (column 8, lines 42-43).

Claim 8. See **claim 1.**

Claim 3-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito and Tso et al. and further in view of Furst (US 6,297,819) and Yates et al. (US 6,330,586).

Claim 3. Ito and Tso et al. teach said system and method, comprising: a contents provider terminal; a contents server; a user terminal; a translation computer system; and wherein said contents provider terminal is so configured as to provide said contents server with contents to be converted by said translation computer system (Ito; column 3, lines 57-60; column 4, lines 8-25), wherein said contents provider is charged a conversion fee for contents conversion performed by said conversion server (Tso et al; column 16, lines 36-38).

However, Ito and Tso et al. do not teach showing a method of charging for conversion of said contents; registering said contents information and contents provider information; and collecting use history information for determining said conversion fee.

Furst teaches a system and method for translating a Web-page from its native language into a desired language (column 11, lines 65-67), wherein service providers are registered with the system (column 6, lines 52-55), and wherein payment options (subscription information) is shown on a display (column 10, lines 26-28).

Yates et al. teach a system and method for service provision by means of communications networks, wherein usage record and accrued charges are monitored (column 19, lines 49-50).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Ito and Tso et al. to include registering service providers with the system as taught by Furst, because it would allow to keep record of services offered as subscription for the users. And it would have been obvious to one having

ordinary skill in the art at the time the invention was made to modify Ito, Tso et al. and Furst to include monitoring of usage record, as taught by Yates et al., because it would allow to provide discounts for said subscriptions to the most frequent users thereby stimulating the users to increase their usage time and profits to the system owners.

Claim 4. See **claim 3.**

Claim 5. Tso et al. teach said system and method, wherein, in said conversion, said contents, when being described in a foreign language, are translated into contents described in a native language of a user (column 8, lines 42-43).

Claim 6. See **claim 3.**

Claim 7. Tso et al. teach said system and method, wherein, in said conversion, said contents, when being described in a foreign language, are translated into contents described in a native language of a user (column 8, lines 42-43).

Claim 9. See **claim 3.**

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892).

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308-2702.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington D.C. 20231

or faxed to:

(703) 872-9306 [Official communications; including After Final communications labeled "Box AF"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

TB

JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600